

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALEKSANDR L. YUFA,

No. C 09-00968 MEJ

Plaintiff,

**ORDER RE SUPPLEMENTAL BRIEF RE
REEXAMINATION OF '983 PATENT
AND STAY OF THIS MATTER**

v.

LIGHTHOUSE WORLDWIDE SOLUTIONS,
INC., *et al.*,

Defendants.

Pending before the Court is Defendant Lighthouse Worldwide Solutions, Inc.'s "Motion to Dismiss for Failure to State a Claim Upon Which Relief Can Be Granted; or, in the Alternative, For a More Definite Statement." (Dkt. #33.) The matter is set for hearing on August 6, 2009. In reviewing Defendant's Motion and Plaintiff's Amended Complaint (Dkt. #28), it has come to the Court's attention that the patent-at-issue, U.S. Patent No. 6,346,983, is currently the subject of re-examination proceeding before the United States Patent and Trademark Office. (*See* Am. Compl. at ¶6.) As Defendant notes in its Motion, Plaintiff has filed several other cases in which he asserts claims against various defendants for infringement of the '983 patent. In at least five of those cases, including one currently pending in the Northern District, the district court has stayed litigation pending outcome of the reexamination proceeding. (*See Yufa v. TSI Inc.*, Case No. CV 09-1315 BZ, at Dkt. ##24, 37.)

1 Because it may also be prudent to take the same action in this case, the Court **ORDERS** as
2 follows:

3 Defendant shall file a brief not exceeding 5 pages addressing why this case should not be
4 stayed pending resolution of the reexamination proceeding. Defendant shall file its brief no later
5 than **5:00 p.m., August 4, 2009.**

6 The Court will advise the parties as to how it will proceed on this issue.

7 **IT IS SO ORDERED.**

8 Dated: July 30, 2009

9 
10 _____
11 MARIA-ELENA JAMES
12 United States Magistrate Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ALEKSANDR L. YUFA,

Plaintiff,

v.

LIGHTHOUSE WORLDWIDE SOLUTION et
al,

Defendant.

Case Number: CV09-00968 MEJ

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 30, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Aleksandr L. Yufa
698 Cypress Avenue
Colton, CA 92324

Dated: July 30, 2009

Richard W. Wieking, Clerk
By: Brenda Tolbert, Deputy Clerk